

MEMORANDUM

TO: Dublin City Council
Marsha Grigsby, City Manager
Anne Clarke, Clerk of Council

FROM: Stephen J. Smith
Jennifer Readler
Chris W. Michael

DATE: September 20, 2012

RE: Emerald LIQ Two LLC Liquor Permit Application (Class D3)

I. INTRODUCTION:

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control concerning Emerald LIQ Two LLC’s (“Emerald Two”) application for a Class D3 liquor permit. Dublin has previously received similar Notices from both Emerald LIQ One LLC (“Emerald One”) and Emerald Two regarding their respective applications for other Class D liquor permits. Dublin has received this Notice pursuant to R.C. 4303.26 because Emerald Two’s proposed location will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permit.

II. BACKGROUND:

Emerald Two is a domestic limited liability company that was formed in September 2010. The address designated for the permit premises is 5689 Woerner-Temple Road, Building 4, which is located within the Emerald Town Center. Emerald Two is seeking to obtain a new D3 permit from the Ohio Division of Liquor Control. Dublin has already considered the Notices for Emerald One’s applications for a D1, D2, and D5 permit, and Emerald Two’s application for a D5 permit within the Emerald Town Center.

The Division of Liquor Control has no records on file regarding any liquor permit violations committed by Emerald Two in the past. If Emerald Two’s present application is approved, Emerald Two will acquire a new D3 permit.

III. RECOMMENDATION:

It would appear that it is unnecessary to request a hearing in this matter as the City has already considered Emerald Two’s previous D5 application. Regardless of whether Dublin desires a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by October 15, 2012.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

25194780005 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	EMERALD LIO TWO LLC 5689 WOERNER TEMPLE RD DUBLIN OH 43016	
ISSUE DATE				
09 05 2012 <small>FILING DATE</small>				
D3 <small>PERMIT CLASSES</small>				
25 <small>TAX DISTRICT</small>	066 <small>PERMIT CLASS</small>	B	285407 <small>RECEIPT NO.</small>	

FROM 09/13/2012

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	PERMIT CLASS	RECEIPT NO.



MAILED 09/13/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/15/2012

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B NEW 2519478-0005

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF DUBLIN CITY COUNCIL
5200 EMERALD PARKWAY
DUBLIN OHIO 43017**

FOR OFFICE USE ONLY
NEW TRANSFER
 PERMIT # 2514478-0005

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr



LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company <u>Emerald Lig Two, LLC</u>	DBA Name	
Permit Premises Address <u>5689 Woerner Temple Rd.</u>	City, State <u>Dublin, OH</u>	Zip Code <u>43016</u>
Township, if in Unincorporated Area	Tax Identification No. (TIN) <u>43-2586650</u>	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4121.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO		
2) President <u>Wing Ma</u>		<u>4/29/1980</u>
3) Vice-President		
4) Secretary		
5) Treasurer		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name <u>Wing Ma</u>	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address <u>8590 Roscoe Pl.</u>	Tax Identification No. (if applicable)	
City and State <u>Dublin, OH</u>	Zip Code <u>43016</u>	
Telephone No. <u>(614) 216-2842</u>	Date of Birth <u>4/29/1980</u>	
2) Name	Social Security No. (if individual)	<input type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address	Tax Identification No. (if applicable)	
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE.)

STATE OF OHIO, Franklin COUNTY ss,

I, Wing Ma being first duly sworn, according to law, deposes and says that he/she is (Title) Member

of the Emerald Lig Two, LLC a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) [Signature] WING MA, MEMBER

Sworn to and subscribed in my presence this 26 day of May, 2012



EDWARD W. HASTIE
 Attorney At Law
 Notary Public, State of Ohio
 My commission has no expiration date
 (Notary Public) 06/14/03 R.C. (Notary Expiration)

Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	<u>ORC 4303.11</u> Beer only in original sealed container for carry out only.
C2	\$376	<u>ORC 4303.12</u> Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	<u>ORC 4303.121</u> Beer in original sealed containers for carry out.
D8	\$500	<u>ORC 4303.184</u> Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in sealed containers for carry out.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in sealed containers for carryout.
D2X	\$376	<u>ORC 4303.141</u> Beer only for on premises consumption or in sealed containers.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> Wine only for on premises consumption only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.